Landmark Second Circuit Ruling Clarifies the Standards for Mobile Contracts

The U.S. Second Circuit Court of Appeals has issued a landmark ruling in *Meyer v. Kalanick* that clarifies the standards for contract formation in the age of smartphones and mobile contracting, providing important guidance to companies about how to design enforceable mobile contracts, reports **Coblentz Patch Duffy & Bass**.

The court applied California law to determine the enforceability of the arbitration clause in Uber's Terms of Service, holding that a "reasonably prudent smartphone user" unambiguously assents to a conspicuously hyperlinked contract when he downloads a smartphone application to his mobile phone and signs up for an account.

"Now is a good time for businesses to review their online and mobile contracting practices," according to the article by **Timothy Crudo**, **Rees Morgan**, **Skye Langs**, and **Mark Hejinian**. Make sure that your terms and conditions are highly visible on an uncluttered page or screen."

Read the article.

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